

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff

v.

Case No. 21-30039
Originating No. 21-mj-136

MICHAEL JOSEPH FOY,

Defendant.

_____ /

**GOVERNMENT'S PETITION
FOR TRANSFER OF DEFENDANT TO
ANOTHER DISTRICT AND SUPPORTING BRIEF**

Pursuant to Rule 5(c)(3)(D) of the Federal Rules of Criminal Procedure, the United States of America hereby petitions the Court for an order transferring defendant **MICHAEL JOSEPH FOY**, to answer to charges pending in another federal district, and states:

1. On January 21, 2021, defendant was arrested in the Eastern District Michigan in connection with a federal arrest warrant issued in the United States District Court for the District of Columbia based on a Complaint. Defendant is charged in that district with violation of 18 U.S.C. §1752(a)(1),(2)- Knowingly enter or remain in any restricted building or grounds without lawful authority; 18 U.S.C. §231(a)(3)- Obstruction of law enforcement; 18 U.S.C. §111(a)(1) and (b)- Forcibly assault, resist, oppose, impede, intimidate, or interfere with any officer of the

United States; 18 U.S.C. §2- Aiding and abetting; 18 U.S.C. §1512(c)(2)- Obstruct, influence, or impede any official proceeding of Congress.

2. Rule 5 requires this Court to determine whether defendant is the person named in the arrest warrant and is entitled to a preliminary examination as described in Paragraph One above. See Fed. R. Crim. P. 5(c)(3)(D)(ii).

WHEREFORE, the government requests this Court to conduct transfer proceedings in accordance with Rule 5 of the Federal Rules of Criminal Procedure.

Respectfully submitted,

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Dated: January 21, 2021